IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5138 OF 2004

Shrikant Balu Khavare ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. Kiran C. Shirguppe, for the Applicant.

Mr. A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

14th December 2004

P.C.:

. Heard Counsel for the parties. Perused the record. The Applicant has been named in the F.I.R. and about his overt act, witness Tanaji has stated that the Applicant was holding axe at the relevant time and assaulted with the help of axe. Medical evidence also supports the prosecution case that injuries suffered by the deceased were possible due to axe blow. At this stage, I see no reason to depart from the conclusion reached by the Court below in

rejecting the bail application preferred by the present Applicant. It is seen that two other accused had approached this Court, who are similarly placed and their application has also been rejected by this Court on 12th July 2004. Not a case for bail. Rejected.

(A.M.KHANWILKAR,J.)